

8-30-06

RCE ✓

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/747,676
Filing Date	December 22, 2000
Examiner Name	Phan, Raymond Ngan
First Named Inventor	Marco Di Benedetto et al.
Group Art Unit	2111
Attorney Docket Number	112025-0447

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 03-1237
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other
- b. ☒ Check in the amount of \$770 enclosed (= RCE fee)
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	A. Sidney Johnston	Registration No. (Attorney/Agent)	29,548
Signature	<i>A. Sidney Johnston</i>	Date	August 27, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as ~~REGISTERED~~ **EXPRESS** mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on 8/27/04

Name (Print/Type)	Maryann Cappuccio	Date	August 27, 2004
Signature	<i>Maryann Cappuccio</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450.

08/30/2004 SS1TH1B1 00000140 09747676

770.00 DP

01 FC:1801



PATENTS
112025-0447
Seq. No. 3332

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:)
Marco Di Benedetto et al.)
Serial No.: 09/747,676)
Filed: December 22, 2000)
For: UPLINKGUARD, APPARATUS)
AND METHOD FOR PRE-)
VENTING ONE WAY CON-)
NECTIVITY LOOPS IN A)
COMPUTER NETWORK)

Examiner: Phan, Raymond Ngan

Art Unit: 2111

Cesari and McKenna, LLP
88 Black Falcon Avenue
Boston, MA 02210
August 27, 2004

"Express Mail" Mailing-Label Number: EV 335 590 907 US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PRELIMINARY AMENDMENT

This Preliminary Amendment is filed in the Request for Continued Examination (RCE) filed on even date herewith. Please enter the following amendments before considering the above-identified RCE.



PATENTS
112025-0447
Seq. No. 3332

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the Patent Application of
Inventor(s): Marco Di Benedetto et al.

For: UPLINKGUARD, APPARATUS AND METHOD FOR
PREVENTING ONE WAY CONNECTIVITY LOOPS IN
A COMPUTER NETWORK

Serial No.: 09/747,676

Filed: December 22, 2000

are the following papers:

- ☒ A preliminary amendment
- ☐ A petition for extension of time and check for \$
- ☒ A check for \$832 to cover the fee for additional claims resulting from the response. The fee is calculated as follows:

Total Claims Remaining after
Amendment:.....28
Less Highest Number of Total Claims
Previously Paid for:.....20

Difference.....8 × \$ 18 = \$ 144

Independent Claims Remaining
after Amendment.....11
Less Highest Number of Independent
Claims Previously Paid for.....3

Difference.....8 × \$ 86 = \$ 688

Multiple-Dependent-Claim Fee Required
after Amendment and Not Previously Paid..... \$ 0

Total of Above Calculations..... \$ 832
Less Reduction for Small Entity \$ 0

Total Due \$ 832

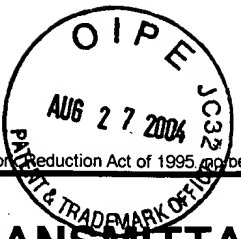
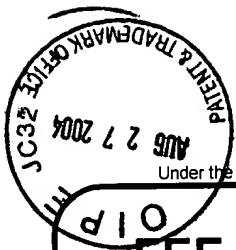
The Commissioner is hereby authorized to charge any
other fees under 37 C.F.R. §§1.16 and 1.17 that may be required,
or credit any overpayment, to our Deposit Account No. 03-1237.

Respectfully submitted,



A. Sidney Johnston
Reg. No. 29,548
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210

(617) 951-2500



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims Small Entity Status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 832

Complete if Known

Application Number	09/747,676
Filing Date	December 22, 2000
First Named Inventor	Marco Di Benedetto et al.
Examiner Name	Phan, Raymond Ngan
Group Art Unit	2111
Attorney Docket No.	112025-0447

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money ☐ Other ☐ None
☒ Deposit Account Order

Deposit Account Number 03-1237

Deposit Account Name Cesari and McKenna, LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee indicated below ☒ Charge any deficiency or Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	750	Utility filing fee	
		1002	330	Design filing fee	
		1003	520	Plant filing fee	
		1004	750	Reissue filing fee	
		1005	160	Provisional filing fee	
SUBTOTAL (1)				(\$)	0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	28	-	20**	=	8	x	18	=	144
Independent Claims	11	-	3**	=	8	x	86	=	688
Multiple Dependent				=				=	0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
		1202	18	Claims in excess of 20
		1201	84	Independent claims in excess of 3
		1203	280	Multiple dependent claim, if not paid
		1204	84	**Reissue independent claims over original patent
		1205	18	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 832

**or number previously paid, if greater; For Reissues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English Specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility Issue fee (or reissue)	
1502	470	2502	235	Design Issue fee	
1503	630	2503	315	Plant Issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0

SUBMITTED BY

Name (Print/Type) A. Sidney Johnston

Registration No. 29,548
(Attorney/Agent)

Complete (if applicable)

Telephone (617) 951-2500

Signature

Date August 27, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OF COMPLETED FORMS TO THIS